



#11

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

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JAN 17 2001

OFFICE OF PETITIONS

Docket Number (IAM 0467 PA)

First named inventor: Michael G. Hayek

Application No.: 09/291,227

Group Art Unit: 1617

Filed: April 13, 1999

Examiner: S. Wang

Title: LUTEIN-CONTAINING SUPPLEMENT AND PROCESS FOR ENHANCING IMMUNE RESPONSE  
IN ANIMALSAttention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

The above-identified application became abandoned for failure to file a timely and proper reply to the Office action mailed on April 11, 2000, which set a 3 month period for reply. The abandonment date of this application is July 12, 2000 (i.e., the day after the expiration date of the period set for reply plus any extensions of time obtained therefor).

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition fee
  - ☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))
  - ☐ Small entity statement enclosed herewith.
  - ☐ Small entity statement previously filed.
  - ☒ Other than small entity - fee \$1,240.00 (37 CFR 1.17(m))
2. Reply and/or fee
  - A. The reply and/or fee to the above-noted Office action in the form of Continuation Application
    - ☐ has been filed previously on \_\_\_\_\_.
    - ☒ is enclosed herewith.
  - B. The issue fee of \$ \_\_\_\_\_
    - ☐ has been paid previously on \_\_\_\_\_.
    - ☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee
  - ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
  - ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith

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1240.00 OP

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

1/12/01  
Date

Susan M. Luna  
Signature

Telephone No.: (937) 223-2050

Susan M. Luna  
Typed or printed name

One Dayton Centre  
One South Main Street  
Suite 500  
Dayton, Ohio 45402-2023  
Address

Enclosures: ☒ Fee Payment  
☒ Reply  
☐ Terminal Disclaimer Form  
☐ Small Entity Status Form

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By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]**

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

1/12/01  
Date

Susan M. Luna  
Signature

Susan M. Luna  
Typed or printed name of person signing certificate